

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:	: Chapter 11
	:
LEHMAN BROTHERS HOLDINGS INC., et al.,	: Case No. 08-13555 (JMP)
	:
Debtors.	: (Jointly Administered)
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LEHMAN BROTHERS SPECIAL FINANCING	:
INC. and LEHMAN BROTHERS HOLDINGS INC.	:
	:
Plaintiffs,	:
	: Adversary Proceeding
-against-	:
	: No.: 09-01261 (JMP)
AMERICAN FAMILY LIFE ASSURANCE	:
COMPANY OF COLUMBUS and	:
BNY CORPORATE TRUSTEE SERVICES	:
LIMITED	:
	:
Defendants.	:
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AMERICAN FAMILY LIFE ASSURANCE	:
COMPANY OF COLUMBUS	:
	:
Counterclaim Plaintiff,	:
	:
-against-	:
	:
LEHMAN BROTHERS SPECIAL FINANCING	:
INC. and LEHMAN BROTHERS HOLDINGS INC.	:
	:
Counterclaim Defendants.	:
-----	x

**MOTION FOR SUMMARY JUDGMENT OF  
AMERICAN FAMILY LIFE ASSURANCE COMPANY OF COLUMBUS**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, defendant and counterclaim plaintiff American Family Life Assurance Company of Columbus ("Aflac"), by and through its undersigned counsel, respectfully requests that this Court enter summary judgment in its favor. In support, Aflac relies upon its memorandum of law (the

"Memorandum"), the Declaration of Robert A. Weber dated August 4, 2009 (the "Declaration"), and Aflac's Statement of Material Undisputed Facts (the "Statement"), each of which is being filed herewith and is incorporated herein by reference.

WHEREFORE, for the reasons set forth in the Memorandum, Declaration and Statement, Aflac respectfully requests that this Court enter summary judgment in its favor and grant to it such other relief as is just.

Dated: New York, New York  
August 4, 2009

Respectfully submitted,

/s/ Sally McDonald Henry

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